

In re Application of Ragsdale et al.
Application No. 10/615,283

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REMARKS

The Pending Claims

Claims 1, 2, 17-34 have been amended without prejudice or disclaimer of the subject matter originally recited therein. Thus, claims 1, 2, and 17-34 currently are pending.

Summary of the Office Action

The Office Action rejects claims 1, 2, and 17-34 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,569,927 (Gelbin) (hereinafter "the Gelbin '927 patent") in view of U.S. Patent No. 6,022,946 (McCullough, Jr.) (hereinafter "the McCullough '946 patent").

Summary of Examiner Interview

Applicants wish to thank the Examiner for the courtesies extended to Applicants and their representative during the telephonic interview on February 28, 2007. During the course of the interview, claim amendments consistent with those set forth above were discussed. The Gelbin '927 patent and the McCullough '946 patent were also discussed.

Discussion of the Claim Amendments

The claims have been amended, without prejudice or disclaimer of the subject matter recited therein, to recite a composition or "[a] composition suitable for use in the manufacture of a polyurethane foam" comprising a polyol, a benzotriazole, a lactone-based antioxidant, a fourth component, and an isocyanate. These amendments are supported by the specification, for example, at pages 9-10, wherein a composition such as that claimed above is described for use in forming a polyurethane foam. No new matter is added by way of these amendments.

Discussion of the Section 103 Rejection

As noted above, the pending claims have been rejected as allegedly obvious over the Gelbin '927 patent in view of the McCullough '946 patent. Applicants respectfully traverse this rejection.

As amended, the claims now recite a composition comprising, among other things, an isocyanate. The Gelbin '927 patent, which is generally directed to the

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stabilization of thermoplastics resins, does not disclose a composition comprising an isocyanate. The McCullough '946 patent, which is directed to similar subject, also does not disclose a composition comprising an isocyanate.

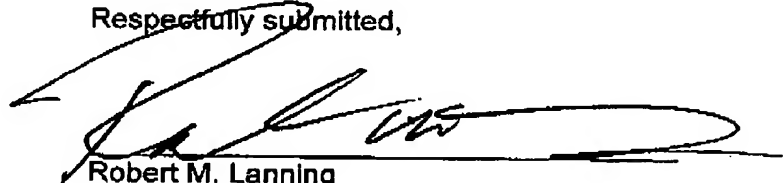
Furthermore, neither reference teaches or suggests that the particular compounds and/or methods disclosed therein can be used in the manufacture of thermoset foams, such as a polyurethane foam. Therefore, Applicants respectfully submit that one of ordinary skill in the art, having read the cited references, would not have been motivated to modify the particular compositions disclosed therein by adding an isocyanate.

In view of the foregoing, Applicants respectfully submit that the subject matter defined by the pending claims is patentable over the cited references. Applicants, therefore, respectfully request that the Section 103 rejection be withdrawn.

Conclusion

In view of the foregoing, the application is considered in proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone interview would expedite prosecution of the instant application, the Examiner is invited to call the undersigned.

Respectfully submitted,



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